

Federal Defenders
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November 15, 2024

BY ECF

Honorable Arun Subramanian
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: United States v. Virginia Lemus Recinos
23 Cr. 464 (AS)**

Dear Judge Subramanian:

I write on behalf of both parties to request a final 30-day adjournment of the status conference scheduled for Tuesday, November 19, 2024. As set forth in our previous letters, the parties have been working diligently to reach a resolution in this matter short of trial. Since the last adjournment, the defense has met with the Chief of the Criminal Division of the U.S. Attorney's Office regarding our request for a deferred prosecution or alternative disposition short of trial. Following that meeting, the government requires additional time to consider our request and proposals.

This is the seventh joint or unopposed request for an adjournment. The past requests were granted to allow the defense to prepare its deferred prosecution submission, for new defense counsel to familiarize herself with the case, and for the government to consider the defendant's request and subsequent appeals. The parties apologize to the Court for the large number of adjournments in this case but are conferring good faith with the aim of resolving this case short of trial. We anticipate a final 30-day adjournment will be sufficient to determine whether we will have such a resolution.¹

Finally, the government seeks, and the defense consents to, the exclusion of time under the Speedy Trial Act until the date of the next conference.

¹ For scheduling purposes, defense counsel notes she is out of the District November 25-December 2, 2024 and December 23, 2024-January 7, 2025.

Respectfully submitted,

/s/
Hannah McCrea
Assistant Federal Defender
Hannah_McCrea@fd.org

CC: AUSA Edward Robinson

The request for an adjournment is GRANTED. The conference will now take place on Thursday, December 19, 2024, at 4:00 PM.

IT IS FURTHER ORDERED that the time between Tuesday, November 19, 2024, and December 19, 2024, be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). The Court finds that the ends of justice served by granting the proposed exclusion outweigh the best interests of the public and the defendant in a speedy trial, because it will provide the parties with time needed to discuss a potential pretrial resolution of the case.

The Clerk of Court is directed to terminate the motion at Dkt. 34.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'A. Subramanian', is written over a horizontal line.

Arun Subramanian, U.S.D.J.
Date: November 18, 2024